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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,298	01/21/2004	Chern Hway Seet	247753US8	3239

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

OSORIO, RICARDO

ART UNIT PAPER NUMBER

2673

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,298

Applicant(s)

SEET ET AL.

Examiner

RICARDO L. OSORIO

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/29/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 12-25 is/are rejected.
- 7) ☒ Claim(s) 10 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03242004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 and 12-25 are rejected under 35 U.S.C. 102(e) as being anticipated by

Anderson et al. (US 2004/0039750 A1).

Regarding claims 1, 16, 18, 20, 22 and 24, Anderson teaches of a system for controlling an electronic book comprising means for controlling at least one display of said electronic book with an electronic book behavior specification, said electronic book behavior specification containing a static specification (page 4, paragraphs 77-82) and a dynamic specification (page 2, paragraph 31), said dynamic specification configured to allow an electronic book behavior to be initialed or modified via a user-initiated command or an automatically-initiated command (page 7, paragraph 130), and provided by at least one of said book behavior specification, an external book behavior specification, and an input device (page 7, paragraph 130, lines 7-12); and means for changing an electronic book behavior in response to the dynamic specification (page 7, paragraph 130, lines 1-5).

Regarding claim 2, Anderson teaches that the static specification comprises one of controlling an electronic book attribute; and controlling a content source (page 4, paragraph 75 and page 5, paragraphs 87-88).

Regarding claims 3, 19 and 23, Anderson teaches that the dynamic specification comprises means for controlling the electronic book run-time behavior (page 5, paragraph 81).

Regarding claim 4, Anderson teaches of instructing a predetermined dynamic behavior specification to be effected on the virtual book through an application program interface configured to send an instruction to an electronic book-viewer software module (page 7, paragraph 130).

Regarding claims 5, 17, 21 and 25, Anderson teaches of modifying the initial static specification within the electronic book behavior specification (page 5, paragraphs 81-82).

Regarding claim 6, Anderson teaches of controlling said electronic book with a dynamic specification provided by an external module (page 2, paragraph 22).

Regarding claim 7, Anderson teaches of controlling said electronic book with a control signal from an external input device or an external program (page 2, paragraph 31).

Regarding claim 8, Anderson teaches of controlling said electronic book with a dynamic specification provided by the electronic book behavior specification (page 7, paragraph 130).

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Regarding claim 9, Anderson teaches that the dynamic and static specifications are either encapsulated within a common software module or are encapsulated within respective software modules (page 4, paragraph 80 and page 7, paragraph 130).

Regarding claim 13, Anderson teaches of temporarily storing one of said static and dynamic specification for use across a predetermined number of pages (page 7, paragraph 138).

Regarding claim 14, Anderson teaches of controlling a transfer of data onto a page via e-mail (page 6, paragraph 107).

Regarding claim 15, Anderson teaches of controlling page-based searching, said page-base searching conducted via a search engine (page 2, paragraph 22).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (see above) in view of Igarashi et al (6,747,680).

Regarding claim 2, Anderson does not specifically teach of controlling an electronic book auto-zoom.

Igarashi teaches of controlling an electronic book auto-zoom (see Igarashi, col. 7, line 41- col. 8, line 33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to control the auto-zoom, as taught by Igarashi, in the device of Anderson so that as the rate of document navigation increases, the scale of the document decreases, thus more of the document is viewable in the display.

Allowable Subject Matter

5. Claims 10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: Claims 10 and 11 are allowable since certain key features of the claimed invention are not taught or fairly suggested by the prior art. In claim 10, “controlling event triggered page flipping”. In claim 11, “controlling an electronic book auto-flipping; and controlling an electronic book auto-narration”. The closest prior art, Anderson et al. (US 2004/0039750 A1) discloses an electronic book with dynamic specification, however, either singularly or in combination, fails to anticipate or render the above underlined limitations obvious.

Response to Arguments

Applicant's arguments filed 3/29/2005 have been fully considered but they are not persuasive.

First, Applicant argues that Anderson does not disclose or suggest the dynamic specification.

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Examiner disagrees because, as shown in above rejection, Anderson discloses what examiner considers a static specification (page 4, paragraphs 77-82) and a dynamic specification (page 2, paragraph 31 and page 7, paragraph 130).

Next, applicant argues that Anderson does not disclose or suggest verifying the status of a first behavior, and causing a second behavior to occur depending on the status of the first behavior.

Examiner disagrees because this specific limitation is not in the claims. Furthermore, Anderson teaches of means for changing an electronic book behavior in response to the dynamic specification (page 7, paragraph 130).

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricardo L. Osorio whose telephone number is 703 305-2248.

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The examiner can normally be reached on Monday through Thursday from 7:00 A.M. to 5:30 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala whose telephone number is 703 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

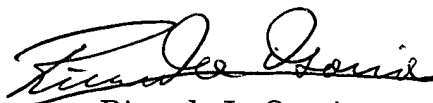
Washington, D.C. 20231

or faxed to:

703 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ricardo L. Osorio
Examiner
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RLO
June 8, 2005